



PATENT  
Attorney Docket No.: JHU1510-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Beachy et al. Art Unit: 1636  
Serial No.: 10/677,982 Examiner: T.A. McKelvey  
Filed: October 1, 2003 Conf. No.: 9078  
Title: MODULATION OF HEDGEHOG-MEDIATED SIGNALING PATHWAYS

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 C.F.R. § 1.132**

Dear Sir:

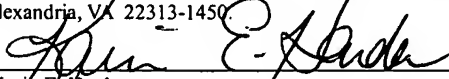
I, Dr. Philip A. Beachy, declare and state that:

1. I am a co-inventor of the subject matter described and claimed in the U.S. Patent Application Serial No. 10/677,982, filed on October 1, 2003 entitled, "Modulation of Hedgehog-Mediated Signaling Pathway", which is a continuation application of U.S. Patent Application Serial No. 09/934,035, filed August 21, 2001, now issued as U.S. Patent No. 6,733,971, which is a continuation application of U.S. Application Serial No. 09/023,249, filed February 13, 1998, now issued as U.S. Patent No. 6,277,566.

2. I am familiar with the prosecution history of U.S. Patent Application Serial No. 10/677,982.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on August 25, 2005, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Karim E. Harden

In re Application of  
Philip A. Beachy  
Application No.: 10/677,982  
Filed: October 1, 2003  
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3. I understand that the Examiner rejected claims 52 and 55-57 under 35 U.S.C. 102(a) as being anticipated by Krishnan et al., Science, 278:1947-1950 December 12, 1997 (IDS reference AE) (hereinafter "Krishnan").

4. The authors of Krishnan include Venkatesh Krishnan, Fred A. Pereira, Yuhong Qiu, Chien-Huan Chen, Philip A. Beachy, Sophia Y. Ysai, and Ming-Jer Tsai. With the exception of myself, Venkatesh Krishnan, Chien-Huan Chen, Sophia Y. Ysai, and Ming-Jer Tsai, the other co-authors of the reference did not contribute to the mental conception of the present invention, but rather performed the various experiments which were conceived and designed by the true inventors.

5. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

8/25/05  
Date

Philip A. Beachy  
Dr. Philip A. Beachy

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